

**REMARKS**

Claims 1-33 are pending in the application.

Claims 1-33 stand rejected.

Claims 1-9, 11, and 29 have been amended. No new matter has been added. Support for the amendments to independent claims 1, 9, and 29, can be found, at least, within the originally filed Application on page 5, paragraph [0016].

**Formal Matters**

The Office Action does not provide any information regarding the status of dependent claims 21-28 beyond the Office Action Summary listing claims 1-33 as rejected. This absence of information does not meet the Examiner's burden to establish a prima facie case for rejection. Applicants respectfully request guidance regarding the grounds of rejection for claims 21-28.

**Rejection of Claims Under 35 U.S.C. § 112**

Claims 29-33 stand rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite. Applicants respectfully traverse this rejection.

The Office Action rejection of system claim 29 is based on the argument that "the body of the claim is comprised of software, thereby making it unclear if applicant is claiming a system or software." Office Action, p. 4. Applicants respectfully submit that claim 29 is a system claim. As an initial point, it can be seen that claim 29 is directed to a system by referring to its preamble. As will also be appreciated, claim 29 includes a

number of hardware elements (a processor, an interconnect, and a computer readable storage medium) interconnected to one another, which evinces Applicant's intention of claiming a system. Moreover, references to instructions within claim 29 are made with respect to those instructions being stored on the claimed "computer-readable storage medium." Thus, Applicants respectfully submit that the Examiner's concerns are addressed thereby, and so request the Examiner's reconsideration of this rejection.

*Rejection of Claims Under 35 U.S.C. § 103*

Claims 1-3 and 9-11 stand rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over the Cross Access press release of January 18, 1999 (PR Newswire. New York: Jan 18, 1999; ProQuest Document ID: 38255217), hereinafter, "Cross Access." Applicants respectfully traverse this rejection.

Independent claims 1, 9, and 29, (as amended) each contain elements of substantially the following form:

synchronizing a source computerized inventory management system and a target computerized inventory management system, wherein said synchronizing is bidirectional.

*See, e.g.*, claim 1. Cross Access fails to disclose, at the very least, the claimed bidirectional synchronization of a source and a target computerized inventory management system.

Cross Access is directed to the movement of data from a legacy system into a new system such as an enterprise planning management (ERP) application's database. *See* Cross Access, Abstract. Every reference to the movement of data within the Cross Access

reference describes such movement as being in a single direction: from a legacy system to a new system. Thus, Applicants respectfully submit that Cross Access fails to teach or even contemplate a need to bidirectionally synchronize between two computerized inventory management systems.

All references within Cross Access to the movement of data are characterized with either “moving” or “migrating” data in a single direction, from a legacy system to a new system. For example, the Cross Access system is presented as having the “ability to quickly move that [legacy] data into a data mart or a new ERP application’s databases.” Cross Access, ¶ 3. As another example, “CrossAccess is enabling us to efficiently migrate data from our legacy databases into our newly-developed data mart.” Cross Access, ¶ 5. Further, paragraphs 6 and 7 of Cross Access contain similar descriptions of either the movement or migration of data from a legacy system to a new system.

There is simply no teaching or contemplation within the disclosure of Cross Access of bidirectional synchronization, in part because Cross Access’s legacy system and new system are not intended, nor will they ever, function together as part of an overall working system. Given that Cross Access is only concerned with migrating data from a legacy system to a new system, data need not be (and indeed, never is) migrated in the opposite direction, from the new system to the legacy system. As such, Cross Access is utterly oblivious to the possibility that two systems will be (or even can be) bidirectionally synchronized, let alone teaching some manner in which such synchronization might be accomplished. Thus, Cross Access cannot be said to teach or contemplate anything analogous to the claimed element of bidirectional synchronization of a source and a target computerized inventory management system.

Claims 4-8, 12-20, and 29-33 stand rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over Cross Access, and in further view of U.S. Patent No. 6,889,260 issued to Hughes et al. ("Hughes"). Applicants respectfully traverse this rejection on the grounds that neither Cross Access nor Hughes, alone or in combination, disclose all the elements of the claimed invention.

Independent claim 29 is also distinguished from Cross Access, for at least the reasons cited in the above arguments with regard to independent claims 1 and 9, regarding the failure of Cross Access to teach or contemplate bidirectional synchronization. The Office Action cites Hughes only for the proposition of disclosing hardware limitations absent in Cross Access, which fails to disclose any underlying hardware details. *See* Office Action, p. 6. Hughes is (correctly) not cited for elements of the claimed invention relating to bidirectional synchronization, among others of the limitations. As will be appreciated, Hughes fails to cure the infirmities of Cross Access, at least with regard to the aforementioned limitations. Thus, it cannot be said that either Cross Access or Hughes, taken alone or in permissible combination, teach or contemplate at least the claimed bidirectional synchronization of source and target computerized inventory management systems.

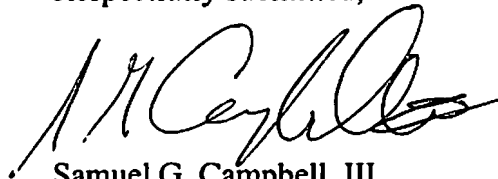
For at least these reasons, Applicants submit that Cross Access does not show, teach or suggest amended independent claims 1, 9, and 29, and dependent claims 2-8, 10-28, and 30-33, and that these claims are in condition for allowance. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections to these claims and an indication of the allowability of same.

**CONCLUSION**

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicants hereby petition for such extensions. Applicants also hereby authorize that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. G. Campbell, III', with a stylized flourish at the end.

Samuel G. Campbell, III  
Attorney for Applicants  
Reg. No. 42,381

Telephone: (512) 439-5084  
Facsimile: (512) 439-5099